

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60896 of 2021

Arising Out of PS. Case No.-120 Year-2021 Thana- AURAI District- Muzaffarpur

GAUTAM SAHNI Son of Vijay Sahni Resident of Village - Basant, P.S.-
Aurai, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 25 litres of liquor from the courtyard of the house of the petitioner.

Learned counsel for the petitioner submits that admittedly the petitioner was not apprehended from the spot and as such nothing was recovered from his conscious possession, it is further submitted that the house is a joint family property and



the fact that if the recovery was from the house then all the family members of the petitioner ought to have been made accused in the present case but none of the family members have been made accused which creates suspicion with regard to the alleged recovery.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Aurai P.S. Case No. 120 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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